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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: C. Senanayake *et al.*

Application No.: 09/998,195

Art Unit: 1621

Filed: December 3, 2001

Examiner: S. Barts

For: SYNTHESIS, METHODS OF USING, AND
COMPOSITIONS OF HYDROXYLATED
CYCLOBUTYLALKYLAMINES

Attorney Docket No.: 4821-409

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action, dated September 8, 2003, in which the application was examined for restriction purposes only. Applicants respectfully request entry of the following remarks and provisional election.

REMARKS

The Examiner sought to restrict this application, under 35 U.S.C. § 121, to one of the following (6) groups for prosecution on the merits:

- Group I, directed to claims 1-8 and 32-43, drawn to compounds;
- Group II, directed to claims 9-31, drawn to method of treatment;
- Group III, directed to claims 44-59, drawn to a process of making compounds,
- Group IV, directed to claims 60-66, and 71, drawn to compounds,
- Group V, directed to claims 67-70, drawn to a process of making compounds; and
- Group VI, directed to claims 72-73, drawn to a process of making compounds.

In response to the restriction requirement, Applicants provisionally elect, with traverse, Group I (*i.e.*, claims 1-8 and 32-43).

In response to the Examiner's requirement under 35 U.S.C. § 121 to elect a single disclosed species, Applicants elect: 4-[1-(4-Chloro-phenyl)-cyclobutyl]-2-methyl-4-methylamino-butan-1-ol, which is disclosed in Scheme 4 at page 7 of the specification. The compound has the following structural formula:

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